

Attorney Docket No. BB-31862(1)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William J. Gilbert

Application No.: 10/731,227

Group No.: 1761

Filed: December 9, 2003

Examiner: Unknown

For: Shelf-Stable Cookie and Brownie Batter-Ready to Bake

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

Mailing

☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Missing Part, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ 37 CFR 1.8(a)

with sufficient postage as first class mail

37 CFR 1.10

☒

As "Express Mail Post Office to Addressee" Mailing Label No. EV405079272US

Transmission

☐ transmitted by facsimile to Fax No.: ~~703-746-4060~~ addressed to Response to Notice to File Missing Parts at the Patent and Trademark Office.

Date:

November 1, 2004

John R. Hark

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS
- NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed September 1, 2004.

A copy of the Notice to File Missing Parts of Application-Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is a copy of the executed declaration for this application.

ENTITY STATUS

III. Applicant is a large entity.

COMPLETION FEES**IV.****1. Surcharge Fees**

Late payment of filing fee and/or late filing of original
declaration or oath (37 C.F.R. Section 1.16(e)) \$130.00

Total Completion Fees **\$130.00**

EXTENSION OF TIME

V. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE**VI.** The total fee due is:

Completion fees	\$ 130.00
Extension fee (if any)	\$ 0.00
Total Fee Due	\$130.00

PAYMENT OF FEES

VII. ☒ Enclosed is a check in the amount of \$ 130.00

☐ Please charge Deposit Account No. 23-2053 in the amount of \$ _____.
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. 1.22(b).

Please charge Account No. 232053 for any additional fees that may be due by this paper.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

VIII. The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 23-2053.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims) 37 C.F.R. Section 1.16(e)
(surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

Date: November 1, 2004

Reg. No.: 45188

Tel. No.: 414-273-2100

Customer No.: 022202

Alan E. Wagner

Alan E. Wagner

Whyte Hirschboeck Dudek S.C.

555 East Wells Street, Suite 1900

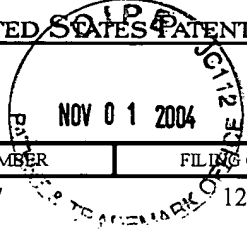
Milwaukee, WI 53202-3819

11/02/04

IFW#



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/731,227	12/09/2003	William J. Gilbert	BB-31862(1)

022202
WHYTE HIRSCHBOECK DUDEK S C
555 EAST WELLS STREET
SUITE 1900
MILWAUKEE, WI 53202

CONFIRMATION NO. 4919

FORMALITIES LETTER



OC000000013694508

Date Mailed: 09/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

11/03/2004 MAHMED1 00000045 10731227

01 FC:1051

130.00 OP

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY